

**BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON, DC 20268-0001**

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Filing Online

Docket No. RM2002-1

**DOUGLAS F. CARLSON
COMMENTS IN RESPONSE TO ORDER NO. 1341**

June 12, 2002

Order No. 1341 announced the Commission's proposal to adopt Filing Online and provided the proposed changes to the *Rules of Practice* that will accompany this new system.¹ The order invited comments by June 21, 2002. Order No. 1341 at 13.

Filing Online represents yet another Commission innovation that will simplify participation in Commission proceedings and dramatically reduce the costs that participants will incur to file and serve documents. Filing Online also will speed the filing process for participants who are not located in the Washington, DC, area. These improvements are important to encourage participation in Commission proceedings by the general public. Filing Online, as was true with previous steps such as broadcasting of Commission hearings on the Internet, will help to make our government more accessible to the people.

In an important exception to electronic filing, the Commission proposes to revise Rule 10 to require hard-copy filing of testimony and briefs that exceed 20 pages in length. I propose that this threshold be raised to 30 pages. In my experience, the expense associated with duplicating and mailing a long document to the entire service list in an omnibus rate case is a major obstacle to citizen participation in omnibus rate cases. A 25-page document easily can incur

¹ Order No. 1341, filed May 8, 2002.

a \$150 bill for duplication and another \$150 bill for postage. Testimony can breed additional long and expensive documents if other participants file interrogatories to the proponent of the testimony. The expense associated with filing documents that must be served in hard-copy form to the entire service list was the deciding factor when I determined that I would not file testimony in Docket No. R2000-1 to propose that the one-pound rate, rather than the two-pound rate, should apply to Priority Mail flat-rate envelopes.

I understand and support the Commission's purpose in requiring long briefs and testimony to be served in hard-copy form. However, in my experience, it is difficult to submit a significant brief or testimony in fewer than 20 pages. A threshold of 30 pages would allow more flexibility for participants to file these important documents without incurring the expense of hard-copy service. This new threshold probably would not significantly increase the burden on participants who must download and print long documents on deadline days when large numbers of long documents will be filed.

If a higher page threshold is not acceptable, perhaps the Commission should consider waiving the hard-copy service requirement or modifying the page threshold if a participant files a brief or testimony prior to the filing deadline. The crush of long documents on a single day appears to be as much of a factor in the Commission's decision to propose this page threshold as the length of the documents themselves. If a few longer briefs or testimonies arrived in advance of the filing deadline, the burden on other participants of printing these documents — whose length may not exceed some interrogatory responses, motions, and similar routine documents — probably would be minimal. Assuming most documents would still be filed on the deadline date, this waiver of the hard-copy service requirement would have the added benefit of reducing workload and labor costs in the Commission's Docket Section somewhat on dates corresponding to key deadlines in Commission proceedings.

The Commission should be commended for its innovative electronic initiatives, which have enabled citizens to participate more effectively in Commission proceedings. The slight modification to the proposed rules that I have suggested will ensure greater citizen participation in Commission proceedings.

Respectfully submitted,

Dated: June 12, 2002

DOUGLAS F. CARLSON